CERTIFICATE OF MAILING

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Ref. No.: 12439-0152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/810,758

Confirmation No. 9082

Applicant

Eldridge et al.

Filed

March 26, 2004

TC/A.U.

3621

Examiner

Bradley B. Bayat

Docket No.

P127C1-US

- Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

COMMONLY OWNED, RELATED U.S. PATENTS AND APPLICATIONS

Applicants note that citation numbers 5-15, 17-19, 24, and 29 in the attached listing are U.S. patents or applications that are commonly owned with the above-identified patent application and may contain subject matter that is related to the subject matter of the above-identified patent application. The Examiner's attention is therefore directed to the prosecution history of the foregoing related U.S. patent(s) and patent application(s) and prior art cited in these patent(s) and patent application(s); Applicants assume the Examiner has access to all of the prosecution history, including the cited prior art, of these patents(s) and patent application(s), but Applicants will provide copies of all or any part of the prosecution history of or prior art from any of these patent(s) or patent application(s) upon request.

11/24/2004 MAHMED1 00000016 10810758

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Page 1 of 5

COPIES NOT PROVIDED

A copy of citation numbers 1-29 is <u>not</u> provided in accordance with the Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003. A copy of citation numbers 30 is <u>not</u> provided because each listed document was cited in the parent application US Serial No. 09/954,617. See 37 CFR § 1.98(d)].

	submi Applio	ssion wa cants req	is filed as one part of a multi-part submission. The fee for the complete as included in an electronically filed submission on uest the foregoing fee be accepted for this statement. (See OG Notice mber 2002.)			
	This sapply)		qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that			
			It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or			
			It is being filed within 3 months of entry of a national stage; or			
			It is being filed before the mail date of the first Office Action on the merits; or			
			It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.			
\boxtimes	nation mailin	nal applicing date of final off	.97(c). If this statement is being filed three months after the filing date of a ication or entry of the national stage in an international application and the of a first Office action on the merits but before the mailing date of the earlier office action, a notice of allowance, or an action that otherwise closes in the application, then:			
		a staten	nent as specified in §1.97(e) is provided below; or			
	\boxtimes		f \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included e payment of other papers filed together with this statement.			
	a fina	37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:				
	A.	a staten	ment as specified in §1.97(e) is provided below; and			
	B.		f \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included e payment of other papers filed together with this statement.			

Appl. No. 10/810,758 IDS dated November 17,2004

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No fee is due.

 \triangle A check that includes \$180.00 for the above-identified fee(s) is enclosed.

Respectfully submitted,

Date: November 17, 2004

N. Kenneth Burraston Reg. No. 39,923

Kirton & McConkie 1800 Eagle Gate Tower 60 East South Temple P.O. Box 45120 Salt Lake City, Utah 84111-1004 Telephone: (801) 323-5934

Fax: (801) 321-4893

Modified Form PTO/SB/08A

Substitut	te for form 1449A/PTO			Complete If Known			
				Application Number	10/810,758		
1	ORMATION DI			Filing Date	March 26, 2004		
STA	STATEMENT BY APPLICANT			First Named Inventor	Eldridge et al.		
	(use as many sheets as	s necess	ary)	Group Art Unit	3621		
	, , , , , , , , , , , , , , , , , , , ,			Examiner Name	Bradley B. Bayat		
Sheet	1	of 2		Attorney Docket No.	P127C1-US		

		U.:	S. PUBLISI	HED PATENT DOCUME	ENTS		
Examiner	ner Cite U.S. Patent Document			Name of Patentee or	Publ./Issue	Related#	Сору
Initials*	No.1	Number Kind Code ²		Applicant	Date		Enclosed
	1.	5042148		Tada et al.	8/27/1991		No
	2.	5065092		Sigler	11/12/91		No***
	3.	5712858		Godiwala et al.	1/27/98		No***
	4.	5818249		Momohara	10/6/98		No
	5.	5829128		Eldridge et al.	11/03/1998	Х	No***
	6.	5864946		Eldridge et al.	2/2/1999	Х	No***
 	7.	5900738		Khandros et al.	5/4/1999	х	No
****	8.	5917707		Khandros et al.	6/29/1999	х	No
	9.	5974662		Eldridge et al.	11/2/1999	х	No
· ·	10.	5983493		Eldridge et al.	11/16/1999	х	No"
•	11.	5994152		Khandros et al.	11/30/1999	Х	No
	12.	6029344		Khandros et al.	2/29/2000	х	No
	13.	6032356		Eldridge et al.	3/7/2000	х	No***
	14.	6042712		Mathieu	3/28/2000	х	No***
	15.	6043563		Eldridge et al.	3/28/2000	x	No
	16.	6049895		Sugimoto	4/11/2000		No"
	17.	6050829		Eldridge et al.	4/18/2000	х	No
	18.	6064213		Khandros et al.	5/16/2000	х	No***
	19.	6090261		Mathieu	7/18/2000	x	No***
	20.	6113646		Holden	9/5/2000		No***

Examiner	Date	
Signature	Considered	

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

^{**} Reference cited in parent application US Serial No. 09/954,617. 37 CFR § 1.98(d)

^{***} Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

[#] Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.

Modified Form PTO/SB/08A

Substitute for form 1449A/PTO				Complete If Known			
				Application Number	10/810,758		
	ORMATION D			Filing Date	March 26, 2004		
STA	STATEMENT BY APPLICANT			First Named Inventor	Eldridge et al.		
	(use as many sheets a	s necess	ary)	Group Art Unit	3621		
	(acc ac many choose at hospitally)			Examiner Name	Bradley B. Bayat		
Sheet	2	of	2	Attorney Docket No.	P127C1-US		

		U	S. PUBLISI	HED PATENT DOCUME	ENTS		
Examiner	Cite	U.S. Patent Document		Name of Patentee or	Publ./Issue	Related*	Сору
Initials*			Applicant	Date		Enclosed	
	21.	6139177		Venkatraman et al.	10/31/2000		No
	22.	6144933		Guccione	11/7/2000		No
	23.	23. 6167537		Silva et al.	12/26/2000		No
	24.	6218910		Miller	4/17/2001	X	No
	25.	6223092		Miyakawa et al.	4/24/2001		No
	26.	6249133		Schwindt	6/19/2001		No
	27.	6255602		Evans et al.	7/3/2001		No
	28.	6265888		Hsu	7/24/2001		No***
	29.	6714828		Eldridge et al.	3/30/2004	х	No

FOREIGN PATENT DOCUMENTS										
Examiner	Examiner Cite Foreign Patent Document				Name of Patentee or Applicant	Publ. Date	T ⁶	Сору		
Initials*	No.1	Office ³	e ³ Number ⁴ Kind Code ⁵				ļ	Enclosed		
	30.	WO	00/3309	6	Eldridge	6/8/2000	<u> </u>	No"		

Examiner	Date	
Signature	Considered	

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

^{**} Reference cited in parent application US Serial No. 09/954,617. 37 CFR § 1.98(d)

^{***} Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

[#] Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.

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Li	Ref. No.: 12439-0152 by HU
bby Hill	()

		Libby H	ıll <u>V</u>		
O PER TIP A NOVALIDA		Co	mplete If Known		
FEE TRANSMITT	\mathbf{AL}	Application Number	10/810,758		
for FY 2004		Filing Date	March 26, 2004		
		First Named Inventor	Eldridge et al.		
<i>E</i>	<i>E</i>				
Applicant aims small entity status. See 37 CRF 1.2	27	Art Unit	3621		
TOTAL AMOUNT OF PAYMENT	(\$) 180.00	Attorney Docket No.	P127C1-US		
	<u>-</u>				

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None	3. ADD	ITION	AL FEE	S		
□ Deposit Account	Large E		Small E			
Account Number 500843	Fee	Fee	Fee	Fee	Fee Description	Fee
Account Number 300843 Account Name Kirton & McConkie	Code	(\$)	Code	(\$)		Paid
	1051	130	2051	65	Surcharge – late filing fee or oath	
The Director is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
☐ Charge fee(s) indicated below ☐ Credit overpayments	1053	130	1053	130	Non-English specification	
☐ Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	Request for ex parte reexam	
☐ Charge fee(s) indicated below, except for the filing fee	1804	920°	1804	920°	Publication of SIR prior to Examiner action	
to the above-identified deposit account.	1805	1,840*	1805	1,840*	Publication of SIR after Examiner	
FEE CALCULATION					action .	
1. BASIC FILING FEE	1251	110	2251	55	Extension of one month	
Large Entity Small Entity	1252	430	2252	215	Extension of two months	
Fee Fee Fee Fee Description Fee Paid	1253	980	2253	490	Extension of three months	
Code (S) Code (S)	1254	1,530	2254	765	Extension of four months	
1001 790 2001 395 Utility filing fee	1255	2,080	2255	1,040	Extension of five months	
1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	
1003 550 2003 275 Plant filing fee	1402	340	2402	170	Filing appeal brief	
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	
1005 160 2005 80 Prov.Filing fee	1451	1,510	1451	1,510	Petition for public use hearing	
SUBTOTAL (1) (\$) zero	1452	110	2452	55	Pet. to revive - unavoidable	
SOBIOTAL (I) (3) ZEIO	1453	1,370	2453	685	Pet. to revive – unintentional	
2. EXTRA CLAIM FEES	1501	1,370	2501	685	Utility issue fee (or reissue)	
Fee from Fee	1502	490	2502	245	Design issue fee	
Extra Claims below Paid	1503	660	2503	330	Plant issue fee	
Total Claims -20**= X =	1460	130	1460	130	Petitions to Director	
Indp. Claims -3** = X = Multiple Dependent	1807	50	1807	50	Fee under 37 CFR 1.17(q)	
Multiple Dependent =	1806	180	1806	180	Submission of IDS	180
Large Entity Small Entity	8021	40	8021	40	Record patent assignment	
Fee Fee Fee Fee Description	1809	790	2809	395	Filing submission after final	
Code (\$) Code (\$) 1202 18 2202 9 "Claims in excess of 20	1810	790	2810	395	Each additional invention (37 CFR 1.129(a)	
1201 88 2201 44 "Independent claims in excess of 3	1801	790	2801	395	RCE	
1203 300 2203 150 Multiple dependent Claim	1802	900	1802	900	Request for expedited	
1204 88 2204 44 ** Reissue independent claims over original patent			I		examination of design application	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	Other fe	e (specify)			
SUBTOTAL (2) (\$) zero " or number previously paid, if greater	* Reduced	l by Basic	Filing Fee	Paid	SUBTOTAL (3) (\$) 180.	00
of humber previously paid, it greater	<u> </u>					

SUBMITTED BY			·-	(Complete (if applicable))				
Name (Print/Type)	N. Kenneth Burrasto)n //		Reg. No.	39,923	Telephone	(801) 323-5934	
Signature	M. Ku	mtl	Su	mt		Date	November 17, 2004	